



HumanAbility Ltd

Gifts Benefits and Hospitality Policy

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1. Policy Statement

HumanAbility Ltd (HumanAbility) must meet public expectations of integrity, accountability, independence, transparency and professionalism. This can only happen if staff are not influenced, or perceived to be influenced, by gifts, benefits, hospitality or inducements. Staff must be open and transparent about offers of gifts, benefits or hospitality.

The Gifts Benefits and Hospitality Policy (this Policy) sets the HumanAbility framework for the management of gifts, benefits and hospitality.

2. Scope

This Policy applies to all Board members, Committee members, staff, volunteers and the contingent workforce employed by Human Ability and should be read in conjunction with Human Ability's Code of Conduct and Ethics Policy.

This Policy outlines under what circumstances staff can accept or should decline gifts, benefits and hospitality. When deciding whether to accept a gift, benefit or hospitality, staff must consider whether a reasonable person would think that the gift, benefit or hospitality was intended to influence the recipient to act in the interests of the giver, either now or in the future.

This Policy also sets out:

- arrangements for approving, declaring and recording of gifts, benefits and hospitality offered, accepted or declined
- requirements for managing the risk to reputation of accepting gifts, benefits and hospitality
- responsibilities of staff.

If staff have any concerns about whether to accept a gift, benefit or hospitality they should consult their Approving Manager or any member of the Senior Management.

3. Staff Responsibilities

3.1 What Staff must not accept:

Staff **MUST NOT** accept gifts, benefits or hospitality:

- a) as an inducement to act in a certain way
- b) when there could be a perception that it has been offered as an inducement to act in a certain way



- c) when they currently, or may in the future, exercise discretion in the making of a decision affecting the giver, for example a meal paid by an audit client, supplier or potential service provider or supplier
- d) above the maximum value (\$100), or serial gifts, benefits and hospitality where the cumulative effect is above the maximum value
- e) on behalf of family members, relations, friends or associates
- f) when a potential, perceived or actual conflict of interest exists; and
- g) when they are unsure.

3.2 What Staff must not do:

Staff MUST NOT:

- a) accept offers of cash, financial benefit (including gift vouchers) or inappropriate financial information; and
- b) solicit gifts, benefits or hospitality for HumanAbility, staff member or staff member's immediate or close family members.

3.3 What Staff may accept:

Staff MAY accept the following gifts, benefits or hospitality after considering whether a reasonable person would think it was intended to influence the recipient to act in the interests of the giver, either now or in the future:

- a) items with a value under \$25. There is no need to declare the gift, benefit or hospitality and no approval is required. For example, a token gift such as a pen or USB drive offered to all attendees at a seminar or official business function; and/or
- b) a prize 'won' at an external business function when conducting official duties, (if it is not captured by section 3.1 or section 3.2).

Note: An award received in recognition of performance is not considered a gift for the purposes of this Policy.

- c) ceremonial gifts on behalf of HumanAbility, such gifts will usually remain the property of HumanAbility
- d) a gift or benefit in gratitude on behalf of HumanAbility for hosting a business function, overseas or interstate delegations, or for presenting on behalf of HumanAbility at a conference, seminar or other business function (if it is not captured by section 3.1 or section 3.2)
- e) invitations to attend professional networking events, including invitations to free webinars/online events. Such invitations must be approved in advance by the Approving Manager or Chief Executive Officer.



Note: Staff are not required to declare declined/disregarded offers that are considered part of a generic, or bulk/broadcast invitation related to a free event.

- f) low risk hospitality which includes light refreshments or a modest meal where the hospitality is incidental to a meeting, conference, networking event or official business- related function.

Examples of low-risk hospitality include:

- o light refreshments provided while attending as a HumanAbility representative at a professional body or industry conference; and/or
- o tea and coffee at client premises.

Note: A meal offered during external training or conference where attendance is paid for by HumanAbility is not considered a gift for the purposes of this Policy.

3.4 What Staff must do:

Staff MUST:

- a) declare all gifts, benefits and hospitality offered valued above \$100, regardless of whether accepted or declined in accordance with the requirements in section 4
- b) request approval from the Approving Manager in accordance with the requirements in section 5
- c) advise the Chief Executive Officer, Senior Management or their Approving Manager immediately if offered a bribe, see section 4.2 for reporting requirements regarding bribes
- d) advise the Chief Executive Officer, Senior Management or their Approving Manager immediately if they suspect they are being offered a gift, benefit or hospitality intended to influence
- e) always consider the intent of the gift, benefit or hospitality being offered and the public perception of accepting the gift
- f) take reasonable steps to ensure that immediate or close family members are not the recipients of any gifts, benefits or hospitality that could be perceived as an attempt to influence the staff member's behaviour; and
- g) consult their Approving Manager or the Chief Executive Officer or any Senior Management for guidance if unsure what to do about the offer of gifts, benefits or hospitality.



4. Declaring and Recording of Gifts, Benefits, Hospitality and Bribes

4.1 Gifts, benefits and hospitality:

Unless stated otherwise, staff must declare all gifts, benefits and hospitality valued above \$100, regardless of whether they have been accepted or declined, within 10 business days.

Senior management ensures details of gifts, benefits and hospitality offered, whether accepted or declined, are recorded in HumanAbility's Gifts, Benefits and Hospitality Register (the Register) within 10 business days of receiving the declaration.

4.2 Bribes:

If staff suspect they are being offered a bribe, they must immediately report this to the Chief Executive Officer, Senior Management or their Approving Manager.

The Chief Executive Officer reports regularly to the Audit and Risk Committee on trends and any areas of concern.

5. Approving Gifts, Benefits and Hospitality valued above \$100

5.1 Prior Approval:

Staff must get approval in advance from their Approving Manager whenever possible before accepting a gift, benefit or hospitality. Approving Managers must provide approval within 10 business days of receiving the request.

When offered a gift, benefit or hospitality, the Approving Manager will assess whether it is appropriate to:

- a) accept and retain
- b) accept and donate; or
- c) decline.

If required, the Approving Manager should refer the matter to the Chief Executive Officer for a final decision.

Prior approval is not required when declining the gift, benefit or hospitality.



5.2 No Prior Approval:

There may be circumstances where it is not possible to obtain prior approval before accepting gifts, benefits and hospitality.

6. Risk Management: Communicating and Enforcing the Policy

It is vital that HumanAbility and its staff are independent and perceived to be independent. HumanAbility and its staff must be, and be seen to be, free of any interest that is incompatible with objectivity in performing activities including audit engagements, procurement or recruitment activities.

There can be serious consequences for HumanAbility where the management of gifts, benefits and hospitality is mishandled.

7. Waiver of the Policy

A waiver of the Policy may be granted where a valid business case exists, and a reasonable person is not likely to think that the gift, benefit or hospitality was intended to influence the recipient to act in the interests of the giver, either now or in the future. This will only occur in rare circumstances.

Any waiver request must be in writing with a detailed justification and approved by the Chief Executive Officer in writing.

8. Breaches

Breaches of this Policy may be subject to disciplinary actions including but not limited to warning letters, suspension, demotion or cessation of employment.

9. Definitions

In the context of this Policy, and in line with relevant legislation, guides and standards, the following definitions apply:

Bribe/bribery refers to a gift or benefit offered to or solicited by someone to influence that person to act in a particular way.

Ceremonial gifts or benefits are an official gift from one agency to another, usually given to a host agency by official visiting delegates of another.

Corruption means a dishonest activity in which a member of HumanAbility acts contrary to the interests of HumanAbility and abuses their position of trust to achieve some personal gain or



advantage for themselves or for another person or entity. Corruption also includes corrupt conduct by HumanAbility or a person purporting to act on behalf of HumanAbility to secure a direct or indirect improper advantage for HumanAbility.

Financial Information in the context of a benefit, would mean information given outside of the scope of official business (see definition below) which would provide a direct opportunity for an individual to gain a personal financial advantage from that information.

Gifts and benefits include any item, service, prize, or travel, provided by a customer, client, applicant, supplier, potential supplier or organisation, which has an intrinsic value and/or a value to the recipient, a member of their family, relation, friend or associate.

Gifts or benefits of gratitude are given in appreciation for a specific task or superior performance of duties.

Gifts or benefits of influence are given to create a sense of obligation in the recipient for a future return of favour, causing a conflict of interest.

Gifts, Benefits and Hospitality Register is the official HumanAbility record which details gifts, benefits and hospitality offered, and how they were managed.

Maximum value is the monetary limit of acceptable gifts, whether the total an individual gift or the cumulative total of all gifts offered from the same individual or organisation over a relevant period.

Official business may be work, meetings, functions or events, all necessarily undertaken by HumanAbility.

Serial gifts, benefits or hospitality are given regularly over a period of time by the same giver, usually of low value, but their cumulative value may be over the maximum value and considered a gift of influence. Infrequent recurring gifts (e.g. a biannual official business lunch) are not considered serial gifts.

Token gifts or benefits are usually mass-produced promotional items that are insignificant in value and generally given to multiple persons.

10. Contact Point

If staff have any questions about this Policy, they should contact the Chief Executive Officer or their manager.



11. Review

This Policy will be reviewed at least every two (2) years in the absence of any significant changes, or more frequently where required, considering legislative or organisational changes, risk factors and consistency with other supporting policies.